

April 19, 2012

**UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT**Elisabeth A. Shumaker  
Clerk of Court

JAY ROEHL,

Plaintiff - Appellant,

v.

ELBERTA HONSTEIN, d/b/a Roy-El  
Morgan Farm; JOHN WENTWORTH,  
individually,

Defendants - Appellees.

No. 11-2229  
(D.C. No. 1:11-CV-00654-WJ-GBW)**ORDER**

This matter is before the court as a follow up to our order dated April 11, 2012. In that order, we advised appellant Jay Roehl this matter would be dismissed if a brief was not received on or before April 18, 2012. To date, no brief has been filed. Accordingly, this appeal is dismissed for failure to prosecute. *See* 10th Cir. R. 42.1. In light of this dismissal, the motion which Mr. Roehl filed seeking dismissal “for lack of jurisdiction without prejudice” is denied as moot. A copy of this order shall stand as the mandate of this court.

Entered for the Court,

ELISABETH A. SHUMAKER  
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